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Attorney for Plaintiff  
KINH TONG

*\*E-FILED - 5/31/07\**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

KINH TONG,

Plaintiff,

v.

CAPITAL MANAGEMENT SERVICES  
GROUP, INC., f/k/a CAPITAL  
MANAGEMENT SERVICES, INC., a New  
York corporation,

Defendant.

Case No. C07-01026-RMW-HRL

**JOINT REQUEST TO CONTINUE  
CASE MANAGEMENT  
CONFERENCE AND  
[] ORDER**

Judge: Honorable Ronald M.  
Whyte  
Courtroom: 6, 4<sup>th</sup> Floor  
Place: 280 South First Street  
San Jose, California

The Parties hereby jointly request that the Case Management Conference currently scheduled on June 1, 2007, at 10:30 a.m., be continued due to a calendar conflict. Plaintiff's counsel will be out of the country on vacation from May 30, 2007, through June 13, 2007, inclusive. The Parties request that the Case Management Conference in this case be rescheduled for June 15, 2007, at 10:30 a.m.

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CONSUMER LAW CENTER, INC.

Dated: May 18, 2007

By: /s/ Fred W. Schwinn  
Fred W. Schwinn, Esq.  
Attorney for Plaintiff  
KINH TONG

LEWIS BRISBOIS BISGAARD & SMITH, LLP

Dated: May 18, 2007

By: /s/ Stephen H. Turner  
Stephen H. Turner, Esq.  
Attorney for Defendant  
CAPITAL MANAGEMENT SERVICES  
GROUP, INC.

**[] ORDER**

Pursuant to the joint request of the Parties, the Court hereby orders that the Case Management Conference set for June 1, 2007, at 10:30 a.m., is continued to June 15, 2007 at 10:30 a.m.

IT IS SO ORDERED.

Dated: 5/31/07

Ronald M. Whyte  
The Honorable Ronald M. Whyte  
United States District Judge